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11 *Attorney for Defendants Regional Trustee Services*  
12 *Corporation and Mortgage Electronic Registration Systems, Inc.*

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 OSCAR GARCIA,

16 Plaintiff,

17 v.

18 REGIONAL TRUSTEE SERVICES  
19 CORPORATION, a foreign corporation;  
20 FIRST HORIZON HOME LOANS  
21 CORPORATION, a revoked corporation;  
22 MORTGAGE ELECTRONIC  
23 REGISTRATION SYSTEMS, INC., a foreign  
24 corporation; and DOES 1-10 Inclusive, and all  
25 other persons unknown claiming any right title,  
26 estate, lien or interest in the real property  
27 described herein,

28 Defendants.

CASE NO.: 3:11-cv-00470-ECR-VPC

**DEFENDANTS REGIONAL TRUSTEE  
SERVICES CORPORATION AND  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.'S  
STATEMENT OF REMOVAL**

Defendants Regional Trustee Services Corporation (hereinafter "Regional") and Mortgage  
Electronic Registration Systems, Inc. (hereinafter "MERS") hereby submit their Statement of  
Removal pursuant to this Court's Minute Order dated July 5, 2011.

1           1.     Date of Service of Complaint on Defendants Regional and MERS: Defendants  
2 Regional and MERS have not been properly served with a copy of the Complaint. Defendants  
3 Regional and MERS obtained a copy of the Complaint upon request to the Court on or about June 6,  
4 2011.

5           2.     Date of Service of Summons on Defendants Regional and MERS: Defendants  
6 Regional and MERS have not been properly served with a copy of the Summons. An unknown  
7 person handed a copy of the Summons to the crier at the trustee's sale, which was held on May 9,  
8 2011. The crier in turn e-mailed a copy of the Summons to Regional, and Regional then notified the  
9 servicer.  
10

11           3.     Diversity Jurisdiction: To the best of Defendant Regional and MERS' knowledge, no  
12 defendants have been served with the Summons and Complaint, and no defendants are citizens of  
13 Nevada. MERS is a Delaware corporation with its principal place of business in Virginia; Regional is  
14 a corporation with its headquarters and principal place of business in Washington; and First Horizon  
15 Home Loans Corporation is a corporation registered in Texas with its headquarters in Tennessee.  
16 Plaintiff Oscar Garcia is a citizen of Nevada. The amount in controversy exceeds \$75,000.00, as  
17 Plaintiff obtained a loan in the amount of \$244,925.00 to purchase the subject property, and seeks to  
18 void the subject deed of trust.  
19  
20

21           4.     Defendants Regional and MERS' Notice of Removal was filed timely pursuant to 28  
22 U.S.C. § 1446(b), as no service of process has been made more than 30 days ago.  
23

24           5.     Defendant Regional and MERS' Notice of Removal was not filed more than one year  
25 after commencement of the state court action.

26           6.     Defendants who did not formally join in the Notice of Removal: To date and to the  
27 best of Defendants Regional and MERS' knowledge, defendant First Horizon Home Loans  
28

1 Corporation has not been properly served with Summons and Complaint and has not appeared in this  
2 action. As such, no joinder of this defendant is required to perfect removal of the state court action.

3 Plaintiff has not filed any proof of service of the Summons and Complaint on any defendant.

4 7. Service of Minute Order: Pursuant to the attached Certificate of Service, Defendants  
5 Regional and MERS have served Plaintiff, the only other party appearing in this action to date, with a  
6 copy of the Court's Minute Order dated July 5, 2011.  
7

8  
9 DATED this 21<sup>st</sup> day of July, 2011.  
10

11  
12 /s/ Joe Solseng

13 Joe Solseng, 11717

14 Robinson Tait, P.S.

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22 Attorneys for Defendant Regional Trustee Services Corp., and  
23 Mortgage Electronic Registration Systems, Inc.  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2011, I electronically filed the foregoing DEFENDANTS REGIONAL TRUSTEE SERVICES CORPORATION AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.' REMOVAL STATEMENT with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all parties listed on the Notice of Electronic Filing.

I further certify that on July 21, 2011, I caused a copy of the MINUTES OF THE COURT DATED JULY 5, 2011 to be deposited in the United States Mail, postage prepaid to the following address:

Terry J Thomas  
7330 Hunter Glen Drive  
Reno, NV 89523

DATED this 21<sup>st</sup> day of July, 2011, at Seattle, Washington.



Andrew Minton  
An employee of Robinson Tait, P.S.